

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK A. SNYDER,	:
Plaintiff	:
	: Civil Action No. 04-82J
JOANNE B. BARNHART, COMMISSIONER	:
OF SOCIAL SECURITY,	:
Defendant	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on January 18, 2006, docket no. 14, recommending that the defendant's motion for summary judgment, docket no. 12, be granted, that plaintiff's motion for summary judgment, docket no. 10, be denied, and the decision of the Commissioner affirmed.

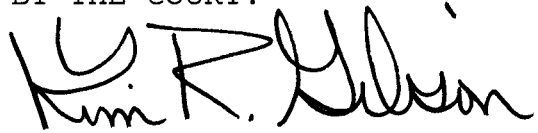
The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Plaintiff filed objections on February 3, 2006, docket no. 15, which I have reviewed de novo, but do not accept.

After de novo review of the record of this matter, the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 23rd day of February, 2006, it is

ORDERED that the defendant's motion for summary judgment, docket no. 12, is granted, the plaintiff's motion for summary judgment, docket no. 10, is denied, and the decision of the Commissioner is affirmed. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with some capital letters.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record:

R. Christopher Brode, Esquire
305 Walnut Street
Meadville, PA 16335

John J. Valkovci, Jr., Esquire
224 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901